

**WARRANT FOR
ANNUAL TOWN MEETING
AND
SPECIAL TOWN MEETING**

ELECTION

Saturday, April 1, 2017



**ANNUAL TOWN MEETING
Monday, April 24, 2017**

**SPECIAL TOWN MEETING
Wednesday, April 26, 2017**

TOWN OF ARLINGTON

**TOWN WARRANT
THE COMMONWEALTH OF MASSACHUSETTS**
Middlesex, ss.

To the Constables of the Town of Arlington, in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Arlington qualified to vote in elections, to meet at the polling places designated for the several Precincts in said Town on

**SATURDAY
THE FIRST DAY OF APRIL 2017**

at eight o'clock in the forenoon, to act on the following articles, namely:

ARTICLE 1 TO ELECT BY BALLOT:

- A) One Town Clerk for three years**
- B) One Treasurer for three years**
- C) Two Selectmen for three years**
- C) One Assessor for three years**
- D) Three School Committee Members for three years**

Also, in accordance with the provisions of Chapter 43A of the General Laws, the number of Town Meeting Members hereinafter specified:

PRECINCT 1 -	Four for three years;
PRECINCT 2 -	Four for three years;
PRECINCT 3 -	Four for three years;
PRECINCT 4 -	Four for three years;
PRECINCT 5 -	Four for three years;
PRECINCT 6 -	Four for three years;
PRECINCT 7 -	Four for three years; One for one year (to fill a vacancy)
PRECINCT 8 -	Four for three years;
PRECINCT 9 -	Four for three years; One for two years (to fill a vacancy)
PRECINCT 10 -	Four for three years;
PRECINCT 11 -	Four for three years;
PRECINCT 12 -	Four for three years;
PRECINCT 13 -	Four for three years;
PRECINCT 14 -	Four for three years;
PRECINCT 15 -	Four for three years;
PRECINCT 16 -	Four for three years;
PRECINCT 17 -	Four for three years; One for one year (to fill a vacancy)
PRECINCT 18 -	Four for three years;
PRECINCT 19 -	Four for three years;
PRECINCT 20 -	Four for three years;
PRECINCT 21 -	Four for three years; One for one year (to fill a vacancy)

For these purposes, the polls will be opened at eight o'clock A.M. and remain open until eight o'clock P.M., at each of the polling places designated, viz.:

Precinct 1 Thompson School, 187 Everett Street
Precinct 2 Hardy School, entrance on Brooks Avenue
Precinct 3 Thompson School, 187 Everett Street
Precinct 4 Hardy School, entrance on Brooks Avenue
Precinct 5 Thompson School, 187 Everett Street
Precinct 6 Hardy School, entrance on Brooks Avenue
Precinct 7 Chestnut Manor, entrance on Chestnut Terrace
Precinct 8 Town Hall, entrance on Massachusetts Avenue
Precinct 9 Chestnut Manor, entrance on Chestnut Terrace
Precinct 10 Town Hall, entrance on Massachusetts Avenue
Precinct 11 Bishop School, entrance on Stowcroft Road
Precinct 12 Brackett School, entrance on Eastern Avenue
Precinct 13 Ed Burns Arena, 422 Summer Street
Precinct 14 Brackett School, entrance on Eastern Avenue
Precinct 15 Ed Burns Arena, 422 Summer Street
Precinct 16 Dallin School, entrance on Florence Avenue
Precinct 17 Peirce School, entrance on Newland Road
Precinct 18 Dallin School, entrance on Florence Avenue
Precinct 19 Peirce School, entrance on Newland Road
Precinct 20 Park Avenue Congregational Church, entrance on Paul Revere Road
Precinct 21 Peirce School, entrance on Newland Road

You are also required to notify and warn the said inhabitants to meet at the Town Hall in said Town on Monday the 24th day of April, 2017, at eight o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members, in accordance with and subject to the referenda provided for by Chapter 43A of the General Laws.

ARTICLE 2

STATE OF THE TOWN ADDRESS

To hear the Chair of the Board of Selectmen review important events in the past year in Arlington and preview expectations for next year.

(Inserted at the request of Vision 2020)

ARTICLE 3

REPORTS OF COMMITTEES

To receive, hear, and act upon the reports of the Board of Selectmen, Finance Committee, Redevelopment Board, School Committee and other committees, commissions, and boards heretofore appointed, or dissolve any inactive committees; and take any action related thereto.

(Inserted at the request of the Town Moderator)

ARTICLE 4

APPOINTMENT OF MEASURER OF WOOD AND BARK

To choose and appoint all the usual Town Officers not hereinbefore mentioned, in such a manner as the Town may determine; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 5**ELECTION OF ASSISTANT TOWN MODERATOR**

To elect a Town Meeting Member as Assistant Moderator for a term of one year, as provided in Title I, Article 1, Section 11.A, of the Bylaws; or take any action related thereto.

(Inserted at the request of the Town Moderator)

ARTICLE 6**ZONING BYLAW AMENDMENT/ MIXED USE IN BUSINESS AND INDUSTRIAL ZONES**

To see if the Town will vote to amend the Zoning Bylaw ARTICLE 6 SECTION 6 TABLE OF DIMENSIONAL AND DENSITY REGULATIONS for Mixed-Use development by reducing or removing the Minimum Lot area per Dwelling Unit Sq. Ft. requirement; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE 7**ZONING BYLAW AMENDMENT/ DEFINITIONS ARTISANAL FABRICATION**

To see if the Town will vote to amend the Zoning Bylaw ARTICLE 2 DEFINITIONS for Artisanal Fabrication by increasing or removing the maximum square foot area requirement; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE 8**ZONING BYLAW AMENDMENT/RESIDENTIAL DRIVEWAY AND PARKING ACCOMODATION ZONING CHANGES**

To see if the Town will vote to amend the Zoning Bylaw to address design and construction of new residential driveways and parking accommodations by: amending ARTICLE 8 SECTION 8.07 PARKING IN RESIDENTIAL DISTRICTS to set the maximum allowable grade for driveways accessing below-grade garages for single, two-family, duplex, or three-family dwellings at 15 percent (15%) unless authorized by special permit; amending ARTICLE 8 SECTION 8.07 PARKING IN RESIDENTIAL DISTRICTS to require vegetated buffers; amending ARTICLE 8 SECTION 8.07 PARKING IN RESIDENTIAL DISTRICTS to allow for incentives for surface parking at newly-constructed single, two-family, duplex or three-family dwellings; amending ARTICLE 8 SECTION 8.01 OFF-STREET PARKING REQUIREMENTS to decrease the number of off-street parking spaces required per dwelling unit from two (2) to one (1) for all single, two-family, duplex, or three-family dwellings; amending ARTICLE 6 SECTION 6 TABLE OF DIMENSIONAL AND DENSITY REGULATIONS to consider changes to minimum setbacks; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE 9**ZONING BYLAW AMENDMENT/MEDICAL MARIJUANA TREATMENT CENTER BUFFER ZONE**

To see if the Town will vote to amend the Zoning Bylaw to add a section 5.07 establishing a buffer zone for Medical Marijuana Treatment Centers (“MMTC,” also known as Registered Marijuana Dispensaries “RMD”); prohibiting siting of such facilities within a radius of five hundred feet of a school, daycare center, or any facility in which children commonly congregate; the 500-foot distance under this section to be measured in a straight line from the nearest point of the facility in question to the nearest point of the proposed MMTC; and further defining for the purposes of this section a “facility in which children commonly congregate” to include: dance schools, gymnastic schools, technical schools, vocational schools, public and private K-12 schools, public libraries,

facilities that offer tutoring or after school instruction, licensed daycare facilities (including private home daycare), pediatrics offices, parks that have play structures and athletic fields intended for use by children, accredited Headstart facilities, and commercial establishments that host children's parties; or take any action related thereto.

(Inserted at the request of Karen E. Thomas-Alyea and ten registered voters)

ARTICLE 10

ZONING BYLAW AMENDMENT/R2 TO R1 DESIGNATION

To change the Zoning District in the Mount Gilboa Historic District from the current Zoning District of R2 to its former District of R1. The proposed area shall encompass the following streets: 2-133 Crescent Hill Avenue, 2-16 Park Place, 3-115 Westmoreland Avenue and 11-197 Westminster Avenue; or take any action related thereto.

(Inserted at the request of Janice A. Weber and ten registered voters)

ARTICLE 11

BYLAW AMENDMENT/RESIDENTIAL CONSTRUCTION, OPEN EXCAVATION, AND DEMOLITION ACTIVITY REGULATIONS: NEIGHBOR NOTIFICATIONS AND MEETINGS

To see if the Town will vote to amend the Town Bylaws to require property owners and/or builders to provide the following material to abutters within 200 feet of residential demolition, open foundation excavation, new construction, or large addition sites, within seven (7) calendar days of the filing of a Building Permit application: site plan, hours of operation, anticipated completion date, work schedule, health, safety, abutting property protection, and noise abatement and to require evidence of such notice to abutters to the Department of Inspectional Services prior to the issuance of a Building Permit; and determine any fines for violations of said Bylaw Amendments; or take any action related thereto.

(Inserted at the request of the Town Manager and Residential Study Group)

ARTICLE 12

BYLAW AMENDMENT/RESIDENTIAL CONSTRUCTION, OPEN EXCAVATION, AND DEMOLITION ACTIVITY REGULATIONS: BUILDING SITE MAINTENANCE

To see if the Town will vote to amend the Town Bylaws to require property owners and/or builders engaged in residential demolition, open foundation excavation, new construction, or large additions, to manage site conditions in the interests of public safety by mandating non-construction waste be removed or otherwise managed daily; dumpsters be used for construction waste only and covered and secured during non-working hours; portable restrooms be secured, maintained, and free from the public way unless otherwise permitted by the Town; construction equipment and materials be stored in safe, secure and non-obstructive locations on the site or as otherwise permitted by the Town and timely removed if inoperable or will otherwise no longer be used on the site; and determine any fines for violations of said Bylaw Amendments; or take any action related thereto.

(Inserted at the request of the Town Manager and Residential Study Group)

ARTICLE 13

BYLAW AMENDMENT/RESIDENTIAL CONSTRUCTION, OPEN EXCAVATION, AND DEMOLITION ACTIVITY REGULATIONS: ABUTTER AND PUBLIC PROPERTY PROTECTIONS

To see if the Town will vote to amend the Town Bylaws to require property owners and/or builders engaged in residential demolition, open foundation excavation, new construction, or large addition projects protect neighboring public and private property by requiring a drive entrance pad, or its equivalent, to minimize tracking of soils from the building site; and prohibit removal of

lateral support from any footing or foundation without first protecting such footings or foundations against settlement or lateral translation; and determine any fines for violations of said Bylaw Amendments; or take any action related thereto.

(Inserted at the request of the Town Manager and Residential Study Group)

ARTICLE 14

BYLAW AMENDMENT/RESIDENTIAL CONSTRUCTION, OPEN EXCAVATION, AND DEMOLITION ACTIVITY REGULATIONS: NOISE ABATEMENT

To see if the Town will vote to amend the Town Bylaws to further prohibit construction as defined therein without reasonable use of mitigation measures to limit nuisance noise, including but not limited to, provision of noise reducing barriers where feasible on sites abutting residential properties, and limiting the use of noise generating equipment; and determine any fines for violations of said Bylaw Amendments; or take any action related thereto.

(Inserted at the request of the Town Manager and Residential Study Group)

ARTICLE 15

BYLAW AMENDMENT/PRIDE COMMISSION

To see if the Town will vote to amend the Town Bylaws to establish a Pride or GLBTQ Commission to advocate for a culture of respect, promote GLBTQ positive policies and to monitor progress toward equality of all persons with regard to sexual orientation and gender identity within the Town; setting forth the membership, duties and responsibilities, administration, and requirements of such Commission; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 16

BYLAW AMENDMENT/ADDITION OF CERTAIN DELINQUENT MUNICIPAL FEES/FINES TO BE A LIEN ON REAL ESTATE TAX ACCOUNT

To see if the Town will vote to amend Article 26 of the 2009 Annual Town Meeting, as voted May 6, 2009, and the Article 21 of the Bylaws of the Town in Title I General Government; to include in the placement of a lien or liens onto any real estate tax accounts, any fees, fines, or penalties levied by a Town and/or School department upon a resident property owner and/or non-resident property owner of the Town, where such fee, fine, or penalty is delinquent. Said amended Bylaw is in accordance with Section 58 of Chapter 20 "Municipal Charges Lien" of the Massachusetts General Law; or take any action related thereto.

(Inserted at the request of the Town Treasurer)

ARTICLE 17

BYLAW AMENDMENT/REGULATION OF PLASTIC BAGS

To see if the Town will vote to regulate or prohibit the sale or distribution of plastic bags at retail, food service, and other establishments; or take any other action related thereto.

(Inserted at the request of Jim Ballin and ten registered voters)

ARTICLE 18

BYLAW AMENDMENT/APPRaisALS OF TOWN PROPERTY INTERESTS

To see if the Town will vote to amend the Town Bylaws to add a provision or provisions requiring the Town to determine the value of any real property interest before disposing of it by using procedures customarily accepted as valid by the appraising profession, including hiring an appraiser at the Town's discretion; or take any action related thereto.

(Inserted at the request of Lisa Reynolds and ten registered voters)

ARTICLE 19**VOTE/APPOINTMENT OF TOWN TREASURER**

To see if the Town will vote to convert the office of Town Treasurer from an elected to an appointed position through ballot question or referendum pursuant G.L. c. 41 §1B, Home Rule Legislation, or other suitable method; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 20**VOTE/EMAIL ACCOUNTS FOR MEMBERS OF PUBLIC BODIES**

To see if the Town will vote to provide email accounts for the exclusive use of Town business to members of the Board of Selectmen, School Committee, Finance Committee, Board of Assessors, Redevelopment Board, and possibly other public bodies; or take any action related thereto.

(Inserted at the request of Christopher Loreti and ten registered voters)

ARTICLE 21**VOTE/SURVEILLANCE STUDY GROUP**

To see if the Town will vote to form a group to study the use of surveillance technologies by Town agencies; to study the impact of such surveillance technologies on privacy, civil liberties, and human rights; to determine if policy, oversight, or public input frameworks might be appropriate for the Town; or take any action related thereto.

(Inserted at the request of Stephen A. Revilak and ten registered voters)

ARTICLE 22**ACCEPTANCE OF LEGISLATION/SENIOR PROPERTY TAX WORK-OFF PROGRAM**

To see if the Town will vote to accept Massachusetts General Law Chapter 59 Section 5K, in order to authorize Arlington to establish a program to allow residents age 60 and over to volunteer to provide services in exchange for a reduction in the real property tax obligations on the residents' tax bills, which reduction shall be in addition to any exemption or abatement to which that person is otherwise entitled; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 23**ACCEPTANCE OF LEGISLATION/VETERAN PROPERTY TAX WORK-OFF PROGRAM**

To see if the Town will vote to accept Massachusetts General Law Chapter 59, Section 5N, in order to authorize Arlington to establish a program to allow veterans, to volunteer to provide services in exchange for a reduction in the real property tax obligations of that veteran on the veteran's tax bills, which reduction shall be in addition to any exemption or abatement to which that person is otherwise entitled; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 24**ACCEPTANCE OF LEGISLATION/ELDERLY AND DISABLED TAXATION FUND**

To see if the Town will vote to accept Massachusetts General Law Chapter 60 Section 3D, in order to authorize an Elderly and Disabled Taxation Aid Fund in Arlington. Such fund will be created to allow taxpayers of Arlington to voluntarily check off an amount not less than \$1 which shall increase the amount otherwise due, and to establish a Town aid to the elderly and disabled taxation fund for the purpose of defraying the real estate taxes of elderly and disabled persons of low income. A Taxation Aid Committee to be appointed by the Board of Selectmen shall consist of the Chair of the Board of Assessors, the Town Treasurer and three residents to carry out the provisions of this article and to identify recipients of such aid; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 25**ACCEPTANCE OF LEGISLATION/CPI ADJUSTMENT FOR
ELDERLY RESIDENTS**

To see if the Town will vote to accept Massachusetts General Law Chapter 59 Section 5 Clause 41D, in order to authorize the Town to adjust annually, the gross receipts and whole estate, real and personal, as set forth in Clause 41C to increase by the amount set in the Consumer Price Index published by the United States Department of Labor, Bureau of Labor Statistics, for each year; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 26**ACCEPTANCE OF LEGISLATION/ESTABLISHMENT OF A
PARKING BENEFITS DISTRICT**

To see if the Town will vote to accept provisions of Chapter 218 of the Acts of 2016 ("An Act Modernizing Municipal Finance and Government") Sections 26, 27 and 30, allowing the Town to establish Parking Benefits Districts, in which parking revenue collected therein may be designated in whole or in part for use in that district through a dedicated fund in accordance with the purposes and uses listed in Section 22A of Chapter 40; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 27**ACCEPTANCE OF LEGISLATION/SPECIAL EDUCATION
RESERVE FUND**

To see if the Town will vote to accept provisions of Chapter 218 of the Acts of 2016 ("An Act Modernizing Municipal Finance and Government"), Section 24, which amends M.G.L. c. 40 by inserting section 13D, to allow the Town/Arlington Public Schools to establish a reserve fund to pay, without further appropriation, for unanticipated or unbudgeted costs of special education, out-of-district tuition, or transportation; or take any action related thereto.

(Inserted at the request of the Superintendent of the Arlington Public Schools)

ARTICLE 28**ACCEPTANCE/LOCAL OPTION TAXES**

To see if the Town will vote to accept any local option taxes or other revenue raising options, which are made available to cities and towns through enactments of the legislature, by state regulation or court action; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 29**ENDORSEMENT OF CDBG APPLICATION**

To see if the Town will vote to endorse the application for Federal Fiscal Year 2018 prepared by the Town Manager and the Board of Selectmen under the Housing and Community Development Act of 1974 (PL 93-383) as amended; or take any action related thereto.

(Inserted by the Board of Selectmen and at the request of the Town Manager)

ARTICLE 30**BYLAW AMENDMENT/DEPARTMENTAL REVOLVING
FUND BYLAW**

To see if the Town will vote to amend the Town Bylaws by adding a new section to establish and authorize revolving funds for use by certain town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, § 53E½; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 31**REVOLVING FUNDS**

To see if the Town will vote to reauthorize revolving funds established under various previous votes of the Town, to hear or receive a report concerning the receipts and expenditures of same, to establish new revolving funds or to amend the votes under any previously adopted revolving funds, to appropriate a sum of money to fund same, to determine how the money shall be raised or expended; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 32**POSITIONS RECLASSIFICATION**

To see if the Town will vote to make additions, deletions and/or modifications to the Classification and Pay Plan, appropriate a sum of money to fund same if necessary, determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Human Resources)

ARTICLE 33**APPROPRIATION/TOWN BUDGETS**

To see if the Town will vote to make appropriations to defray Town obligations, liabilities, outlay and expenses and especially for or relating to all or any of the boards, departments, purposes and matters hereinafter mentioned, and to provide for the disposal of motor vehicles and other personal property belonging to the Town, determine how the money shall be raised and expended; or take any action related thereto: Finance Committee, Board of Selectmen, Town Manager, Human Resources, Comptroller, Information Technology, Town Treasurer and Collector of Taxes, Assessors, Legal and Workers' Compensation, Town Clerk, Registrars, Planning and Community Development, Redevelopment Board, Parking, Zoning Board of Appeals, Public Works, Facilities, Cemeteries, Community Safety, School Department, Libraries, Human Services, Insurance, Non-Contributory Pensions, Contributory Pensions, Town Debt and Interest, Reserve Fund, and/or any other Town Departments, Boards, Commissions or Committees, Water and Sewer Enterprise Fund, Recreation Enterprise Fund, Council on Aging Transportation Enterprise Fund, Veterans' Memorial Rink Enterprise Fund, and Youth Services Enterprise Fund.

(Inserted by the Board of Selectmen and at the request of the Town Manager)

ARTICLE 34**CAPITAL BUDGET**

To see if the Town will vote to appropriate a sum of money to defray the expense of purchasing, leasing, or bonding of capital equipment, infrastructure, buildings or other projects of the Town or to acquire real property for municipal purposes; to appropriate a sum of money to fund previously incurred or future Town debt, to acquire land for said projects where necessary by purchase, eminent domain taking or otherwise, determine how the money shall be raised including the possibility of borrowing any or all of the same, or the transfer of funds from any previous appropriation, determine how such money shall be expended; or take any action related thereto.

(Inserted by the Board of Selectmen and at the request of the Town Manager and the Capital Planning Committee)

ARTICLE 35**RESCIND BORROWING AUTHORIZATIONS FROM PRIOR YEARS**

To see if the Town will vote to rescind the authority to borrow, from prior years' authorizations, the amounts remaining with regard to any numbered prior Annual and/or Special Town Meeting Warrant Articles; or take any action related thereto.

(Inserted at the request of the Town Treasurer)

ARTICLE 36**APPLICATION OF BOND PREMIUM**

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied; or take any action related thereto.

(Inserted at the request of the Town Treasurer)

ARTICLE 37**APPROPRIATION/PUBLIC ART**

To see if the Town will appropriate a sum of money to fund the selection, acquisition, maintenance, and placement of public art at multiple locations in Arlington, including consultant fees, said sum to be raised by the general tax and expended under the direction of the Town Manager; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 38**APPROPRIATION/ZONING BYLAW RECODIFICATION**

To see if the Town will appropriate or transfer a sum of money to fund support of a comprehensive recodification of Arlington's Zoning Bylaws, including payment of legal, consultant, expert, and technical review fees in furtherance of such review and/or comment; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 39**APPROPRIATION/PARKING OPERATING COSTS**

To see if the Town will appropriate or transfer a sum of money to fund appropriate operating costs of new parking equipment and measures from the Special Revolving Parking Fund established under Article 7 of the October 2016 Special Town Meeting; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 40**APPROPRIATION/CAPITAL BUDGET/GIBBS
SCHOOL RENOVATION**

To see if the Town will vote to appropriate a sum of money for the renovation/reconstruction of the Gibbs School, determine how the money shall be raised and expended, including the possibility of borrowing all or some of the same; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 41**APPROPRIATION OR TRANSFER/REVALUATION
OF REAL PROPERTY**

To see if the Town will vote to appropriate or transfer a sum of money to fund a revaluation of the real property in the Town, determine how the money should be raised or expended; or take any action related thereto.

(Inserted at the request of the Board of Assessors and the Town Manager)

ARTICLE 42**APPROPRIATION/FINANCING OF CONSTRUCTION OR RECONSTRUCTION OF SEWERS AND SEWERAGE FACILITIES**

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of sewers and sewerage facilities for inflow/infiltration reduction or system rehabilitation, including costs incidental and related thereto, and to determine how the appropriation shall be raised or expended, including the possibility of borrowing all or some of same; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Public Works)

ARTICLE 43**APPROPRIATION/FINANCING OF CONSTRUCTION OR RECONSTRUCTION OF WATER MAINS AND WATER FACILITIES**

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto, and to determine how the appropriation shall be raised and expended including the possibility of borrowing all or some of same; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Public Works)

ARTICLE 44**APPROPRIATION/MINUTEMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL & OUT OF DISTRICT VOCATIONAL PLACEMENTS**

To see if the Town will vote to appropriate a sum of money for the purpose of paying the Town's apportioned share of the operating and maintenance costs, including capital costs, tuition, and all of Arlington's other obligations under the Minuteman Regional School District Agreement for the Minuteman Regional Vocational Technical High School, as well as paying the tuition for all other out of district vocational education placements, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of Minuteman Regional Vocational School District Committee)

ARTICLE 45**APPROPRIATION/COMMITTEES AND COMMISSIONS**

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of various committees, commissions, and boards of the Town, determine how the money shall be raised; provided that any funds appropriated hereunder shall remain under the jurisdiction of said entities until expended at their direction, unless otherwise appropriated by the Town Meeting; the entities included hereunder, without limitation, are: Arlington Historical Commission, Arlington Recycling Committee, Avon Place Historic District Commission, Broadway Historic District Commission, Central Street Historic District Commission, Mt. Gilboa/Crescent Hill Historic District Commission, Jason/Gray Historic District Commission, Pleasant Street Historic District Commission, Russell Historic District Commission, Conservation Commission, Capital Planning Committee, Commission on Disability, Personnel Board, Public Memorial Committee, Human Rights Commission, Arlington Committee on Tourism and Economic Development, Vision 2020, Transportation Advisory Committee, Arlington Commission on Arts and Culture, Poet Laureate Screening Committee and any other Town Committee or Commission; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 46**APPROPRIATION/TOWN CELEBRATIONS
AND EVENTS**

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of the Town Manager for the following celebrations and memorials, determine how the money shall be raised and expended; or take any action related thereto:

Patriots' Day Celebration and the Memorial Day Observation
Display of American Flags on Massachusetts Avenue
Placing of American Flags on the Graves of Veterans
Feast of the East Activities
Arlington Alive Festivities
Town Day Celebration
Veterans' Day Parade

(Inserted at the request of the Town Manager)

ARTICLE 47**APPROPRIATION/MISCELLANEOUS**

To see if the Town will vote the following:

Legal Defense – To appropriate a sum of money to replenish the Legal Defense Fund established under Article 13, Section 5 of Title 1 of the Town Bylaws, Indemnification of Medical Costs, to appropriate a sum of money in accordance with the provisions of Chapter 41, Section 100B of the General Laws, to indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred, determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 48**APPROPRIATION/WATER BODIES FUND**

To see if the Town will vote to appropriate a sum of money to the Town's Water Bodies Fund for the maintenance, treatment, and oversight of all the Town's water bodies, said sum to be raised by the general tax and expended under the direction of the Town Manager, who will also report to Town Meeting on the status of the fund; or take any action related thereto.

(Inserted at the request of the Arlington Conservation Commission, the Vision 2020 Standing Committee, and the Spy Pond and Reservoir Committees of the V2020 Environment Task Group)

ARTICLE 49**APPROPRIATION/ COMMUNITY PRESERVATION FUND**

To see if the Town will vote to make appropriations from the Community Preservation Fund for eligible community preservation projects; for community preservation reserve accounts for historic preservation, open space and recreation, and affordable housing; for Community Preservation Committee administrative expenses or other eligible expenses; or take any action related thereto.

(Inserted at the request of the Community Preservation Committee)

ARTICLE 50**APPROPRIATION/HARRY BARBER
COMMUNITY SERVICE PROGRAM**

To see if the Town will vote to appropriate the sum of \$7,500.00 for the Harry Barber Community Service Program for the Council on Aging, to determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Council on Aging)

ARTICLE 51**APPROPRIATION/PENSION ADJUSTMENT FOR FORMER TWENTY-FIVE YEAR/ACCIDENTAL DISABILITY EMPLOYEES**

To see if the Town will vote to appropriate a sum of money to implement the provisions of Chapter 32 of Massachusetts General Laws Section 90A, 90C, 90D and 90E, pursuant to which the Town pays up to fifty percent of the maximum salary as set forth in the Compensation and Pay Plan for the position formerly held by retired employees with twenty-five or more years of service to the Town and those employees who retired under an Accidental Disability; provided, however, that no one who retires after May 1, 2010 shall be eligible under this vote unless they qualify for at least a fifty percent pension, without this vote upon their retirement; this adjustment to be paid to those who qualify and administered in accordance with prior practice and understanding relating to the retirement allowance of said retirees; determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Contributory Retirement Board)

ARTICLE 52**APPROPRIATION/OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST FUND**

To see if the Town will vote to accept into the Other Post Employment Benefits (OPEB) Trust Fund, established by Chapter 161 of the Acts of 2005, an appropriation of funds and/or the transfer of additional monies that the Town may deem advisable from other sources, including any monies previously deposited into any of the Town's stabilization funds for this purpose, in order to administer and fund its OPEB obligation as described in the said Chapter 161 of the Acts of 2005; determine how the monies shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Contributory Retirement Board)

ARTICLE 53**TRANSFER OF FUNDS/SPECIAL EDUCATION STABILIZATION FUND**

To see if the Town will vote to transfer a sum of money between the Special Education Stabilization Fund and the Arlington Public Schools in accordance with the provisions of the General Laws, Chapter 40, Section 5B, as amended, or other appropriate provisions of law; determine how much money should be transferred into or out of such Stabilization Fund; or take any action related thereto.

(Inserted at the request of the Arlington School Committee)

ARTICLE 54**APPROPRIATION/OVERLAY RESERVE**

To see if the Town will vote to appropriate a sum of money from previous years overlay reserve surplus accounts, determine to what purpose this appropriation shall be made; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 55**TRANSFER OF FUNDS/CEMETERY**

To see if the Town will vote to transfer a sum of money to the Cemetery Commissioners for the improvement of Town cemeteries, said sum shall be taken from the Mt. Pleasant Cemetery "Sale of Lots and Graves or Perpetual Care Funds"; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 56**USE OF FREE CASH**

To see if the Town will vote to authorize the taking of a sum of money voted for appropriations heretofore made at the Town Meeting under the Warrant and not voted to be borrowed from available funds in the Treasury, and authorize the Assessors to use free cash in the Treasury to that amount in the determination of the tax rate for the Fiscal Year beginning July 1, 2017; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 57**APPROPRIATION/LONG TERM STABILIZATION FUND**

To see if the Town will make an appropriation to the Long Term Stabilization Fund in accordance with the provisions of the General Laws, Chapter 40, Section 5B, as amended, or other appropriate provisions of law, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 58**APPROPRIATION/FISCAL STABILITY STABILIZATION FUND**

To see if the Town will make an appropriation to or from the Fiscal Stability Stabilization Fund created under Article 65 of the 2005 Annual Town Meeting or any other enabling action of Town Meeting in accordance with the provisions of the General Laws, Chapter 40, Section 5B, as amended, or other appropriate provisions of law, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 59**RESOLUTION/SANCTUARY TOWN**

To see if the Town will resolve to become a Sanctuary Town, joining hundreds of municipalities nationwide, providing a safe haven and sanctuary for undocumented residents of our Town, ensuring that all immigrants can fully and safely participate in the civic and economic life of the Town and protecting all residents from hate and prejudice, by resolving to refrain from using Town resources for discriminatory purposes in gathering information regarding citizenship, immigration status, ethnicity, national origin, or religious affiliation, provided, however that this resolution shall not prevent law enforcement from investigating, arresting or charging someone for a crime or other legal infraction; or take any action related thereto.

(Inserted by the Board of Selectmen and at the request of the Arlington Human Rights Commission)

ARTICLE 60**RESOLUTION SUPPORTING STATE AND FEDERAL LEGISLATION THAT PROVIDES GREATER TRANSPARENCY IN POLITICAL DONATIONS AND LIMITS THE INFLUENCE OF MONEY IN POLITICS**

To see if the Town will vote to or take any action related thereto:

WHEREAS, the current and increasing role of money in politics threatens the democratic ideals upon which our republic was founded; and

WHEREAS, in an effort to restore voter confidence in our democracy, a non-partisan, grassroots movement known as “Represent.Us” is working for legislative reforms to reduce the opportunity

for corruption within the political system in our country by supporting a legislative reform bill known as the “American Anti-Corruption Act” (the Act), and

WHEREAS, the Act targets bribery by preventing lobbyists from donating to politicians and offering them deals that could influence policymaking, ends secret money by mandating full transparency, enables citizens to fund elections, closes the “revolving door” between Congress and lobbying firms, and enhances the power of the Federal Election Commission.

NOW THEREFORE, BE IT RESOLVED by the legal voters of the Town of Arlington, Massachusetts that tough new anti-corruption laws as included in the American Anti-Corruption Act must be passed by the Massachusetts General Court as well as the US Congress to remove the corrupting influence of money on our political system. The Act prohibits politicians from taking campaign money from industries they regulate; increases transparency for campaign funding; empowers all voters through a tax rebate voucher to contribute to the candidates they support; prohibits representatives and senior staff from all lobbying activity for five years after leaving office; and places limits on superPACs.

(Inserted at the request of Elizabeth Kowalski and ten registered voters)

.... (SIGNED)

....A true copy.

Attest:

(SIGNED)

DIANE M. MAHON

DANIEL J. DUNN

KEVIN F. GREELEY

STEVEN M. BYRNE

JOSEPH A. CURRO, JR.

SELECTMEN

OF THE

TOWN

OF

ARLINGTON

RICHARD BOYLE
CONSTABLE

**Warrant For
SPECIAL TOWN MEETING
Wednesday, April 26, 2017**

**TOWN WARRANT
COMMONWEALTH OF
MASSACHUSETTS**

Middlesex, ss.

To the Constables of the Town of Arlington, in said County:

GREETINGS

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Arlington to meet in the

**Town Hall
In said Town on
WEDNESDAY THE 26TH DAY OF APRIL 2017**

at 8:00 P.M., at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members, in accordance with, and subject to, the referenda provided by Chapter 43A of the General Laws.

ARTICLE 1

ZONING BYLAW AMENDMENT/DEFINITIONS

To see if the Town will vote to amend the Zoning Bylaw to change the definition of "Open Space, Usable" by reducing the required horizontal dimension, to allow for incentives for surface parking at newly-constructed single, two-family, duplex or three-family dwellings; or take any action related thereto.

(Inserted at the request of the Town Manager on behalf of the Residential Study Group)

ARTICLE 2

**ZONING BYLAW AMENDMENT/RECREATIONAL
MARIJUANA MORATORIUM**

To see if the Town will vote to amend the Town's Zoning Bylaws by adding a new section 11.10, TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS, which would provide as follows, and further to amend the Table of Contents to add Section 11.10, "Temporary Moratorium on Recreational Marijuana Establishments."

Section 11.10.1 Purpose

By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (G.L. c. 94G, "Regulation of the Use and Distribution of Marijuana Not Medically Prescribed"). Effective December 15, 2016, the law allowed certain personal use and possession of marijuana, and further requires the Cannabis Control Commission to issue regulations regarding the licensing of commercial marijuana activities on or before March 15, 2018, and subsequently, to accept license applications for commercial operations beginning on

April 1, 2018. Non-medical Marijuana Establishments as defined by G.L. c. 94 are not otherwise contemplated or addressed under the present Zoning Bylaw. The regulations to be promulgated by the Cannabis Control Commission may provide important guidance on aspects of local regulation of Recreational Marijuana Establishments, as well as details on how the Town may further restrict commercial sales of recreational marijuana by local ballot questions. Moreover, the regulation of recreational marijuana raises novel legal, planning and public safety issues, potentially necessitating time to study and consider study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the aforementioned State regulations on local zoning; and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to adopt provisions of the Zoning Bylaw in a manner consistent with sound land use planning goals and objectives.

11.10.2 Definitions

“Recreational Marijuana Establishment” shall mean a non-medical “marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.”

11.10.3 Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Recreational Marijuana Establishments. The moratorium shall be in effect through June 30, 2018, or until such time as the Town adopts Zoning Bylaw amendments that regulate Recreational Marijuana Establishments, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments and related uses, and shall consider adopting new Zoning Bylaws in response to these new issues.

11.10.4 Severability

The provisions of this by-law are severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.”

Or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 3

APPROPRIATION/CAPITAL BUDGET/ HARDY SCHOOL CAPACITY EXPANSION

To see if the Town will vote to appropriate a sum of money for capacity expansion, temporary or permanent, at the Hardy school building, determine how the money shall be raised and expended,

including the possibility of borrowing all or some of the same; or take any action related thereto.
(Inserted at the request of the Town Manager)

ARTICLE 4

APPROPRIATION/CAPITAL BUDGET/ GIBBS SCHOOL RENOVATION

To see if the Town will vote to appropriate a sum of money for renovation, temporary or permanent, at the Gibbs school building, determine how the money shall be raised and expended, including the possibility of borrowing all or some of the same; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 5

TRANSFER OF FUNDS/SPECIAL EDUCATION STABILIZATION FUND

To see if the Town will vote to transfer a sum of money between the Special Education Stabilization Fund and the Arlington Public Schools in accordance with the provisions of the General Laws, Chapter 40, Section 5B, as amended, or other appropriate provisions of law; determine how much money should be transferred into or out of such Stabilization Fund; or take any action related thereto.

(Inserted at the request of the Arlington School Committee)

.... (SIGNED)

....A true copy.

Attest:

(SIGNED)

DIANE M. MAHON

DANIEL J. DUNN

KEVIN F. GREELEY

STEVEN M. BYRNE

JOSEPH A. CURRO, JR.

SELECTMEN

OF THE

TOWN

OF

ARLINGTON

RICHARD BOYLE
CONSTABLE

HOW TO VOTE BY ABSENTEE BALLOT

Reasons for voting absentee

You may vote absentee if you are registered and will be unable to vote at the polls on Election Day because of

Absence from the Town

Physical disability

Religious beliefs

Illegal absentee voting is punishable by a fine of up to \$10,000 and up to five years in prison.

Applying for an absentee ballot

You must apply for an absentee ballot from the Town Clerk no later than noon of the day before the election. Applications may be mailed or hand delivered and you may use any form of written communication (letter or postcard) or the official application form.

Include on the application

Your name as registered

Your registration address

Precinct, if you know it

The precise address to which you wish the ballot sent

Your own signature

Requesting to vote by mail

A ballot will be sent to any address you specify including your own home. Be sure to apply early because the ballots must be sent by mail and may be returned by mail or hand delivered.

Requesting to vote in person

If you prefer, you may request to vote in person before Election Day. You may vote at the Town Hall before Election Day at a time arranged with the Clerk, but application for your ballot must be made no later than noon of the day before the election. A voter may apply for an absentee ballot and then vote over-the-counter during the same visit.

Applying to vote if you are absent from the state, in the armed services or a prisoner

Registered and unregistered residents of Massachusetts outside the state and residents on active duty in the armed forces and merchant marine and their spouses or dependents, and prisoners, may vote absentee. They may request an absentee ballot from the Town where they legally reside (if outside the U.S., where they resided last before leaving). In addition, a close relative may apply on their behalf in person at the Town Clerk's Office.

A parent of a registered voter who is a student at a Massachusetts college or university may apply for an absentee ballot on the student's behalf to the Town Clerk where the student is registered.

In all cases, unregistered voters must register in person when they return to the state, since this does not establish permanent registration.

What if I am permanently physically disabled?

If you are permanently physically disabled and cannot cast your vote at the polling place, you may file a letter from your physician with the Town Clerk, stating that you are permanently unable to cast your vote at the polling place because of physical disability. A completed application for an absentee ballot, for you to sign and return, must be mailed by the Town Clerk to you at least 28 days before every primary and election.

NOTE: Voters who are admitted to a health care facility after noon of the fifth day before an election may apply for an absentee ballot up until the polls close on the day of the election (rather than noon the day before the election) and must designate a person to hand deliver and return the absentee ballot.